

CITY OF BELLEVILLE

PUBLIC HEALTH & HOUSING COMMITTEE MEETING

Members

Alderman Ken Kinsella(Chairman)

Alderman James Musgrove

Alderman Ed Dintelman

Alderman Raffi Ovian

Alderman Scott Tyler

Tricia Tialdo

AGENDA

Wednesday April 6, 2016

6:00p.m.

CITY HALL

2nd Floor Conference Room

- I. Call to Order
- II. Roll Call of Members/Staff
- III. Approval of the March 2, 2016 minutes
- IV. Public Participation
- V. Old New Business
- VI. New Business:
 - 1.) Discussion on Lindenwood University
(Stadium lighting, loud speaker, residential security lighting and parking lots. Request of Alderman Buettner.)
- VII. Adjourn

UNAPPROVED

PUBLIC HEALTH & HOUSING COMMITTEE MEETING MINUTES WEDNESDAY March 2, 2016

Members: Alderman Ken Kinsella – Chairman
Alderman James Musgrove
Alderman Ed Dintelman
Alderman Raffi Ovian
Alderman Scott Tyler
Tricia Tialdo
Mayor Mark Eckert

Staff: Robert Sabo
Roger Barfield

Guests: Alderman Bob White, City Treasurer Dean Hardt and Michael Hagberg

Chairman Kinsella called the meeting to order at 6:00 p.m.

On roll call all members were present.

Committee Member Tricia Tialdo made a motion to approve the minutes from the January 6, 2016 meeting, second by Alderman Tyler. Motion carried.

Public Participation: None

Old Business: Alderman Tyler inquired about an update in regards to the signs violating the City right-of-way on S. 29th St. Director Sabo reported that the City Attorney was going to send a letter but did not know the status. Further information will be obtained.

New Business:

- 1.) A motion was made by Alderman Ovian second by Alderman Tyler to accept the following bids for the sale of the City owned lots

:

55 Periwinkle Circle to Herschel and Elaine Parrish in the amount of \$5500.

4 Highwood Circle to Dean Patterson in the amount of \$700.

716 N. 89th St. to Clinton and Matrecha Yates in the amount of \$1200.

915 S. High St. to Barbara Will in the amount of \$3000.

9811 W Main St. is tabled for further discussion.

On a roll call all members present voted AYE, motion carried.

2.) A motion was made by Alderman Tyler second by Alderman Tyler to accept the bid from Shafer Excavating in the amount of \$57,610. for the court ordered demolition and clearing of the following six (6) properties:

1712 Scheel St.
33 Highwood Ct
500 S Church St
2021 Madison Ave
124 N. 15th St
523 N. Jackson

On roll call all members present voted AYE, motion carried.

With no further business Committee Member Tialdo made a motion to adjourn second by Alderman Tyler.

ARTICLE V – REGULATION OF LIGHTING

26-5-1 **DEFINITIONS.** For the purpose of this Article, terms used shall be defined as follows:

"Direct Light": Light emitted directly from the lamp, off of the reflector or reflector or reflector diffuser, or through the refractor or diffuser lens, of a luminaire.

"Fixture": The assembly that houses the lamp or lamps and can include all or some of the following parts: a housing, a mounting bracket or pole socket, a lamp holder, a ballast, a reflector or mirror, and/or a refractor or lens.

"Flood or Spot Light": Any light fixture or lamp that incorporates a reflector or a refractor to concentrate the light output into a directed beam in a particular direction.

26-5-2 **REGULATIONS.** All public and private outdoor lighting installed in the City shall be in conformance with the requirements established by this Article. All previous language in City bylaws and ordinances regarding outdoor lighting is replaced with this Article.

26-5-3 **CONTROL OF GLARE – LUMINAIRE DESIGN FACTORS.** Any luminaire with a lamp, lamps, all flood and spot luminaries shall be mounted at a height equal to or less than the value $3 + (D/3)$, where D is the distance in feet to the nearest property boundary. The maximum height of the luminaire may not exceed **twenty-five (25) feet**.

26-5-4 **EXCEPTIONS TO CONTROL OF GLARE.**

(A) Any luminaire with a lamp, lamps, all flood and spot luminaries may be used without restriction to light distribution or mounting height, except that if any spot of flood luminaire is aimed, directed, or focused such as to cause direct light from the luminaire to be directed toward residential building on adjacent or nearby property, or to create glare perceptible to persons operating motor vehicles on public ways, the luminaire shall be redirected, diffused or its light output controlled as necessary to eliminate such conditions.

(B) Luminaires used for public-roadway illumination may be installed at a maximum height of **twenty-five (25) feet** and may be positioned at the height up to the edge of any bordering property.

(C) All temporary emergency lighting needed by the Police or Fire Departments or other emergency services, as well as the vehicular luminaries, shall be exempt from the requirements of this Article.

(D) All hazard warning luminaries required by Federal regulatory agencies are exempt from the requirements of this Article, except that all luminaries

used must be read and must be shown to be as close as possible to the Federally required minimum lumen output requirement for the specific task.

(E) Luminaires used for sign illumination may be mounted at any height to a maximum of **twenty-five (25) feet**, regardless of lumen rating.

(F) **Law Governing Conflicts.** Where any provision of federal, state, county, or town statutes, codes, or laws conflicts with any provision of this Article, the most restrictive shall govern unless otherwise regulated by law.

26-5-5 OUTDOOR ADVERTISING SIGNS.

(A) **Top Mounted Fixtures Required.** Lighting fixtures used to illuminate an outdoor advertising sign shall be mounted on the top of the sign structure. All such fixtures shall comply with the shielding requirements of **Section 26-5-3.**

(B) **Compliance Limit.** Existing outdoor advertising structures shall be brought into conformance with this Article within **ten (10) years** from the date of adoption of this provision.

(C) **Prohibitions.** Electrical illumination of outdoor advertising off-site signs including existing signs between the hours of **11:00 P.M.** and sunrise is prohibited.

26-5-6 RECREATIONAL FACILITIES. Any light source permitted by this Article may be used for lighting of outdoor recreational facilities (public or private), such as, but not limited to, football fields, soccer fields, baseball fields, softball fields, tennis courts, or show areas, provided all of the following conditions are met:

(A) All fixtures used for event lighting shall be fully shielded as defined in **Section 26-5-3** of this Article, or be designed or provided with sharp cut-off capability, so as to minimize up-light, spill-light, or glare.

26-5-7 PROHIBITIONS.

(A) **Laser Source Light.** The use of laser source light, strobe or any similar high intensity light for outdoor advertising or entertainment, when projected above the horizontal is prohibited.

(B) **Searchlights.** The operation of searchlights for advertising purposes is prohibited.

(C) **Outdoor Advertising Off-Site Signs.** Electrical illumination of outdoor advertising off-site signs is prohibited between the hours of **11:00 P.M.** and sunrise.

26-5-8 TEMPORARY OUTDOOR LIGHTING. Any temporary outdoor lighting that conforms to the requirements of this Article shall be allowed. Nonconforming temporary outdoor lighting may be permitted by the Streets and Grades Committee after considering:

- (A) the public and/or private benefits that will result from the temporary lighting;
- (B) any annoyance or safety problems that may result from the use of the temporary lighting; and
- (C) the duration of the temporary nonconforming lighting.

The applicant shall submit a detailed description of the proposed temporary nonconforming lighting to the Streets and Grades Committee, who shall consider the request at a monthly called meeting of the Streets and Grades Committee. The Committee shall render its decision on the temporary lighting request at the following monthly meeting. A failure by the Streets and Grades Committee to act on a request within the time allowed shall constitute a denial of the request.

26-5-9 NOTIFICATION REQUIREMENTS.

- (A) This Article shall take effect from and after its passage, approval and publication as provided by law.
- (B) Any ordinance that conflicts with this Article is hereby repealed.
- (C) Any prior luminaries that direct light toward streets or parking lots that cause disability glare to motorists or cyclists, or direct light toward residential buildings that cause disability glare to residents, should be either shielded or redirected within **thirty (30) days** of notification, so that the luminaries do not cause a potential hazard to motorists or cyclists, or a nuisance to residents.

26-5-10 NOTICE TO ELECTRICIANS. Within **thirty (30) days** of the enactment of this Article, the Code Enforcement Officer shall send a copy of the Outdoor Lighting Ordinance, with cover letter to all electricians and local electric utility (including at least those in the City as listed in the Yellow Pages).

26-5-11 VIOLATIONS, LEGAL ACTIONS, AND PENALTIES.

- (A) Any person violating this Article shall be fined not less than **Fifty Dollars (\$50.00)** or more than **One Thousand Dollars (\$1,000.00)**.
- (B) Violations and Legal Actions. If, after investigation, the Code Enforcement Officer finds that any provision of the Article is being violated, he shall give notice by hand delivery or by certified mail, return-receipt requested, of such violation to the owner and/or to the occupant of such premises, demanding that violation to the owner and/or to the occupant of such premises, demanding that violation be abated within **thirty (30) days** of the date of hand delivery or of the date of mailing of the notice. If the violation is not abated within the **thirty (30) day** period, the Code Enforcement Officer may institute actions and proceedings, either legal or equitable, to enjoin, restrain, or abate any violations of this Code and to collect the penalties for such violations.

(Ord. No. 6880; 08-07-06)